

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JOSE L. FRANKLIN a/k/a
MONICA JAMES,

Plaintiff,

v.

HOWARD BROWN HEALTH CENTER,

Defendant.

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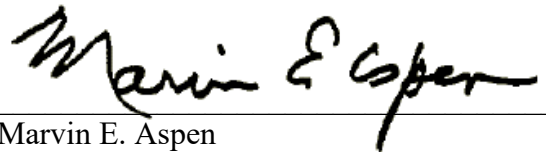
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Hon. Marvin E. Aspen

ORDER

MARVIN E. ASPEN, District Judge:

Presently before us is the Report and Recommendation (“Report”) of Magistrate Judge Jeffrey Cole on Plaintiff’s motion for discovery sanctions. (Mot. for Sanctions (Dkt. No. 56); Report (Dkt. No. 80).) The Report recommends granting Plaintiff’s motion and proposes specific sanctions under Federal Rule of Civil Procedure 37(e). (Report at 13–14.) Neither party filed objections to the Report by the deadline. After careful consideration of the Report and the parties’ submissions, pursuant to Federal Rule of Civil Procedure 72(a), we hereby adopt the Report and its proposed sanctions. Accordingly, Plaintiff’s motion for discovery sanctions is granted, and the parties will be allowed to present evidence and argument to the jury regarding Defendant’s obstruction or failure to preserve electronic evidence. In addition, we will consider appropriate jury instructions regarding this evidence at trial. It is so ordered.



Marvin E. Aspen
United States District Judge

Dated: November 7, 2018
Chicago, Illinois